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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **OAKLAND DIVISION**

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11 EPIC GAMES, INC.,
12 Plaintiff, Counter-defendant,
13 v.
14 APPLE INC.,
15 Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

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17 **DECLARATION OF MICHAEL J. ZAKEN**
IN SUPPORT OF PARTIES' JOINT
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED PURSUANT TO CIVIL LOCAL
RULE 79-5

Courtroom: 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

I, Michael J. Zaken, declare as follows:

1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. (“Epic”) in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If called as a witness, I could and would competently testify to these facts under oath.

3. Portions of the Parties’ exhibits admitted during the evidentiary hearing and filed in compliance with this Court’s order (*see* Dkt. 1508 at 78 n.77) contain certain materials that Apple Inc. (“Apple”) has designated confidential under the protective order in this case. The following table shows the portions of those exhibits that Apple has designated as confidential information.

Document	Corresponding Page and Line Number(s)
CX-0009	Redacted portions as reflected in the highlighted text.
CX-0009-A	Redacted portions as reflected in the highlighted text.
CX-0014	Redacted portions as reflected in the highlighted text.
CX-0015	Redacted portions as reflected in the highlighted text.
CX-0054	Redacted portions as reflected in the highlighted text.
CX-0202	Redacted portions as reflected in the highlighted text.
CX-0216	Redacted portions as reflected in the highlighted text.
CX-0223	Redacted portions as reflected in the highlighted text.
CX-0224	Redacted portions as reflected in the highlighted text.
CX-0225	Redacted portions as reflected in the highlighted text.
CX-0227	Redacted portions as reflected in the highlighted text.
CX-0229	Redacted portions as reflected in the highlighted text.
CX-0231	Redacted portions as reflected in the highlighted text.
CX-0244	Redacted portions as reflected in the highlighted text.

Document	Corresponding Page and Line Number(s)
CX-0246	Redacted portions as reflected in the highlighted text.
CX-0257	Redacted portions as reflected in the highlighted text.
CX-0264	Redacted portions as reflected in the highlighted text.
CX-0265	Redacted portions as reflected in the highlighted text.
CX-0266	Redacted portions as reflected in the highlighted text.
CX-0268	Redacted portions as reflected in the highlighted text.
CX-0272	Redacted portions as reflected in the highlighted text.
CX-0279	Redacted portions as reflected in the highlighted text.
CX-0281	Redacted portions as reflected in the highlighted text.
CX-0291	Redacted portions as reflected in the highlighted text.
CX-0384	Redacted portions as reflected in the highlighted text.
CX-0435	Redacted portions as reflected in the highlighted text.
CX-0464	Redacted portions as reflected in the highlighted text.
CX-0478	Redacted portions as reflected in the highlighted text.
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CX-0490	Redacted portions as reflected in the highlighted text.
CX-0496	Redacted portions as reflected in the highlighted text.

Document	Corresponding Page and Line Number(s)
CX-0499	Redacted portions as reflected in the highlighted text.
CX-0503	Redacted portions as reflected in the highlighted text.
CX-0505	Redacted portions as reflected in the highlighted text.
CX-0506	Redacted portions as reflected in the highlighted text.
CX-0509	Redacted portions as reflected in the highlighted text.
CX-0511	Redacted portions as reflected in the highlighted text.
CX-0532	Redacted portions as reflected in the highlighted text.
CX-0538	Redacted portions as reflected in the highlighted text.
CX-0539	Redacted portions as reflected in the highlighted text.
CX-0540	Redacted portions as reflected in the highlighted text.
CX-0859	Redacted portions as reflected in the highlighted text.
CX-1103	Redacted portions as reflected in the highlighted text.
CX-1208	Redacted portions as reflected in the highlighted text.
CX-1211	Redacted portions as reflected in the highlighted text.
CX-1303	Redacted portions as reflected in the highlighted text.
CX-1304	Redacted portions as reflected in the highlighted text.
CX-1310	Redacted portions as reflected in the highlighted text.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on May 7, 2025 in New York, NY.

/s/ Michael J. Zaken
Michael J. Zaken

E-FILING ATTESTATION

I, Yonatan Even, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Yonatan Even
Yonatan Even